

PATENT

Case Docket No. AUTOB.059A

Date: April 12, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kevin J. Wagoner, et al.
Appl. No. : 09/283,120
Filed : March 31, 1999
For : CONTINUOUS ONLINE
AUCTION SYSTEM AND
METHOD
Examiner : Millin, Vincent A.
Group Art Unit : 2164

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) *Peter M. Midgley*
) Peter M. Midgley, Reg. No. 44,239

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ATTENTION: APPLICATION BRANCH

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Submission in Response to the March 13, 2002 Notice of Non-Compliant Amendment (37 CFR 1.121).
- (X) A copy of the March 13, 2002 Notice of Non-Compliant Amendment sent by the Patent Office.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

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To: Examiners Vincent Millin & Kelly Scaggs Campen
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Arthur S. Rose, Reg. No. 28,038

LETTER

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Dear Examiners Millin & Campen,

We recently received a Notice of Abandonment on the above-described application for failure to provide a timely response. However, our records indicate that we did file a timely response. As background, we are providing a summary of the papers filed.

August 20, 2001	Examiner Jim Calve sends a non-final Office Action to the Applicant.
February 20, 2002	The Applicant filed a timely response.

March 13, 2002	Examiner Vincent A. Millin sends a Notice of Non-Compliant Amendment to the Applicant asking for a "mark-up" copy of the Amendment. Examiner Millen provided for an additional month for the response.
April 12, 2002	The Applicant filed a timely response with the requested "mark-up" copy.
May 6, 2002	Examiner Kelly Scaggs Campen sends a Notice of Abandonment to the Applicant claiming that the Applicant did not respond to the March 13, 2002 Notice of Non-Compliant Amendment.

As the above timeline shows, we filed all papers within their allotted time. Therefore, we are puzzled as to why we received a Notice of Abandonment. Please provide us with guidance on how to proceed. We have attached the above-described papers for your reference.

We called Examiner Campen on May 20, 2002 to discuss this matter and left a voice message. That voice message has not been returned.

Please contact me with any questions. I look forward to receiving your guidance.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 7/16/02

By: 

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